

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Takashi YASUO et al.**

Serial Number: **Not Yet Assigned**
(§371 international application No. **PCT/JP01/04505**)

Filed: **January 29, 2002**

For: **FUEL CELL**

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

January 29, 2002

Sir:

Prior to the calculation of the filing fees of the above application, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 9 and 10 without prejudice or disclaimer.

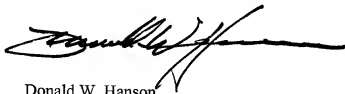
REMARKS

The above amendment is submitted to cancel claims 9 and 10 as to these claims have been cancelled under Article 19 in the international application. A copy of translation of the amendment to the claims under PCT Article 19 is enclosed. Early and favorable action is awaited.

In the event there are any additional fees required, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

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Date October 22, 2001

World Intellectual Property Organization
PCT Administration Division
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"Amendment of the claims under Article 19(1)(Rule 46)"

Re: International Application No. PCT/JP01/04505
Applicant: SANYO ELECTRIC CO., LTD. et al
Agent: Shiro NAKAJIMA
International filing Date: 29.05.01

Dear Sir.

The Applicant, who received the International Search Report relating to the above identified International Application transmitted on 29.05.01, hereby files amendment under article 19(1) as in the attached sheets.

Further claims 9 and 10 are canceled. Other claims are remain unchanged.

Very truly yours,

Shiro Nakajima
Shiro NAKAJIMA

Attachment:

(1) Amendment under Article 19(1)

1 sheet

6. The fuel cell of Claim 5, wherein

the carbon particles of the first layer are made of

(i) furnace black or

(ii) furnace black mixed with acetylene black, expanded graphite, fibrous graphite, or any combination thereof, and

the carbon particles of the second layer are made of

(i) acetylene black or

(ii) acetylene black mixed with furnace black.

7. The fuel cell of Claim 6, wherein

the carbon particles of the first layer have an average specific surface area ranging from $100 \text{ m}^2/\text{g}$ to $1000 \text{ m}^2/\text{g}$ inclusive, and

the carbon particles of the second layer have an average specific surface area of less than $100 \text{ m}^2/\text{g}$.

8. The fuel cell of Claim 1, wherein

the cathode-side gas diffusion layer, made up of the first and second layers, has a water retention capacity ranging from $0.5 \text{ mg}/\text{cm}^2$ to $1.5 \text{ mg}/\text{cm}^2$ inclusive, and a water retention density ranging from $0.05 \text{ g}/\text{cm}^3$ to $0.5 \text{ g}/\text{cm}^3$ inclusive.

9. (cancelled)

10. (cancelled)

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